

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10CV57

ERIC S. GREENE, et al.,)
)
Plaintiffs,)
)
vs.) ORDER
)
CAROLINA MOTOR CLUB, INC., AAA)
CAR CARE CENTERS, LLC, and)
TOWMARK, LLC,)
)
Defendants.)
_____)

This matter is before the court upon Plaintiffs' Motion to Clarify the Court's June 19, 2012 Order and to Stay Sanctions (D.E. #80). In this motion, Plaintiffs request "guidance from the Court as to the specific distribution of the sanctions among the individual Plaintiffs." Plaintiffs also request that sanctions not be payable until the conclusion of the case.

In its Order of June 19, 2012, the Court directed Plaintiffs to pay Defendants Car Care and Towmark attorney's fees and expenses in the amount of \$17,708.20. This figure represented a 25% reduction in the amount requested by Defendants. The Court notes that Defendants incurred \$500.00 in costs and \$3,072.50 in attorneys' fees, for a total of \$3,572.50, as a result of Plaintiff Core's failure to appear for his deposition. Reducing this amount by 25% results in an amount of \$2,679.38. It appears that Mr. Core should be individually responsible for this portion of costs and fees. If this amount (\$2,679.38) is subtracted from the total amount of fees and expenses payable, it leaves a balance of \$15,028.82. All Plaintiffs (including Mr. Core) are jointly and severally liable for this amount.

IT IS THEREFORE ORDERED that Plaintiffs' motion to clarify is granted and fees and

expenses shall be payable as directed herein. Plaintiffs' motion to stay sanctions is denied.

Signed: December 7, 2012



Graham C. Mullen
United States District Judge

